## **Final Rule Stakeholder Call**

**Topic: Final Rule STP** 

## 12-21-2016

## Noon call (29 participants on the line)

- 1. A couple of my staff (QA, Assistant director) to go out on the site visits. Can you clarify for us the method or approach you're taking for which day providers you're scheduling first. Why are some are scheduled, others aren't, or what the approach is?
  - **a.** This came up in one of our stakeholder meetings. We were approached that the CDDOs were known better than the state and were asked to go when we go to see them. Can the CDDO help tell why the setting is community based. That is kind of how it. Not sure the scheduling, her team is doing it. The scheduling.
- 2. We appreciate the opportunity and would offer assistance in the compliance/monitoring/transition planning. Jeanette has been working with new/interested affiliates to plan to be in compliance when they come on line as they come into compliance. When can people can be expected to be contacted?
  - 1. Will FUP w/Janelle and contact SGCO CDDO w/that info.
- 3. I want to clarify, CMS put the final rules in place, I think that it would be important that they understand that CMS didn't pull them out of air. This is all part of the ACA that was implemented in May of 2010.
  - **a.** Right. If you look, you can go online, you can look at the final settings rule. There were thousands of comments that changes some of the things in the regulations. A lot of people had comments and input into this.
- **4.** Once you have everything approved by CMS you put out to providers they're non-compliant, how long do you have they'll have to come into compliance?
  - **a.** March of 2019. As soon as we've completed onsites we'll want plans to get them into compliance or transition plans.
- **5.** When you anticipate the learning collaboratives will start working together and when will they get up and going?
  - a. We're still in discussion about that? It'll depend on when we get the onsites finished.

## **Evening Call (7 Participants on the line)**

- 1. I have a question about the capable person final ruling. What is the status?
  - **a.** Is going through the policy review process.
- **2.** References the onsite assessments, says a 95/5 a statistically significant sample. What does that mean?
  - a. As I understand that it means a statistically valid sample and its confidence interval.
- **3.** Is that based on population or how is that determined?
  - **a.** Is based on attestation survey data who did and did not complete the survey.
- **4.** For those who are compliant, what is the outcome? What is the plan if it turns out it isn't?

- **a.** There will be a few avenues, the learning collaboratives and receive training and technical assistance and a subsequent would require a formal corrective action plan with monitoring by the state. Providers will be notified of their status based their compliance level.
- **b.** If the "fully compliant" category is invalidated, how is the state going to address this through the STP. How will we know outside of going 100% onsite assessments, how will we be able to assure compliance and reduce risk for everyone involved?
- **c.** Will be looking into this in the future.
- **5.** When talking about onsite assessments, are you talking about in the homes and not in facilities since this is HCBS?
  - **a.** We're conducting reviews of facilities, congregate living, and provider-owned and controlled-settings.